



Purple Communications, Inc.
595 Menlo Drive
Rocklin, CA 95765
Tel 800 900 9478

REDACTED FOR PUBLIC INSPECTION

December 16, 2016

VIA ECFS

Eliot Greenwald
Disability Rights Office
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554
Email to TRSreports@fcc.gov and Eliot.Greenwald@fcc.gov

**Re: Purple Communications, Inc. Annual Report Section 64.606(g)
CG Docket 03-123**

Dear Mr. Greenwald:

Pursuant to Section 64.606(g) of the rules of the Federal Communications Commission (FCC or "Commission"), Purple Communications, Inc. ("Purple") submits its Annual Report demonstrating compliance with the mandatory minimum standards established for Internet-based TRS providers under Section 64.604 of the Commission's rules and containing the information required by Section 64.606.¹

I. Update to Section 64.606(a)(2) of the Commission's Rules

In accordance with Section 64.606(g)(1), this Annual Report updates where necessary: the information and documentation contained in Purple's Internet-Based TRS Certification Application submitted on September 30, 2016 ("Purple Recertification Application"), and the information and documentation contained in ClearCaptions LLC's ("ClearCaptions") Internet-Based TRS Certification Application submitted on April 28, 2016 ("ClearCaptions Certification Application") (and collectively, the "Certification Applications").² Where no update is provided, Purple certifies that there are no changes

¹ See 47 C.F.R. §§ 64.604, 64.606.

² Purple Communications, Inc., *Internet-Based TRS Certification Application, Update to Application for Full Certification, Request for Renewal of Conditional Certification*, CG Docket 10-51 (filed Sept. 30, 2016) ("Purple Recertification Application"), ClearCaptions LLC, *Internet-Based TRS Certification Application*, CG Docket 03-123

to the information and documentation submitted in the Certification Applications, as detailed below.

**(i) A description of the forms of Internet-based TRS to be provided;
(47 C.F.R. § 64.606(a)(2)(i))**

Purple provides Video Relay Service (“VRS”) and, through ClearCaptions, provides Internet Protocol Captioned Telephone Service (“IP CTS”).³ As the Commission is aware, as part of a contemplated corporate reorganization as a result of which ClearCaptions would cease to be a wholly-owned subsidiary of Purple, ClearCaptions is seeking its own certification as a provider of IP CTS.⁴

**(ii) A detailed description of how the applicant will meet all non-waived mandatory minimum standards applicable to each form of TRS offered;
(47 C.F.R. § 64.606(a)(2)(ii))**

Purple certifies that there are no changes to the description as to how Purple will meet all non-waived mandatory minimum standards provided in: Section III of the Purple Recertification Application for VRS, and Section III of the ClearCaptions Certification Application for IP CTS.

(A) In the case of VRS applicants or providers,

**(1) Operating five or fewer call centers within the United States, a copy of each deed or lease for each call center operated by the applicant within the United States;
(47 C.F.R. § 64.606(a)(2)(ii)(A)(1))**

Purple operates more than five call centers within the United States.

(filed April 18, 2016) (“ClearCaptions Certification Application”); *see also* 47 C.F.R. § 64.606(g)(1).

³ *See Notice of Conditional Grant of Application of Purple Communications, Inc. for Recertification as a Provider of Video Relay and Internet Protocol Relay Service Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, CG Docket No. 10-51, *Public Notice*, DA 12-4 (Jan. 4, 2012). *Notice of Conditional Certification for Purple Communications, Inc. to provide Internet Protocol Captioned Telephone Relay Service*, CG Docket No. 10-51, *Public Notice*, DA 14-1627 (Nov. 7, 2014).

⁴ *See* ClearCaptions Certification Application.

- (2) Operating more than five call centers within the United States, a copy of each deed or lease for a representative sampling . . . of five call centers operated by the applicant within the United States, together with a list of all other call centers that they operate that includes the information required under §64.604(c)(5)(iii)(N)(2); (47 C.F.R. § 64.606(a)(2)(ii)(A)(2))**

Purple certifies that there are no changes to the call center lease information and documentation provided in Section IV.A and Exhibits 3, 4, 5, 6, and 7 of the Purple Recertification Application.

- (3) Operating call centers outside of the United States, a copy of each deed or lease for each call center operated by the applicant outside of the United States; (47 C.F.R. § 64.606(a)(2)(ii)(A)(3))**

Purple does not operate any VRS call centers outside the United States, as noted in Section IV.B of the Purple Recertification Application.

- (4) A description of the technology and equipment used to support their call center functions; (47 C.F.R. § 64.606(a)(2)(ii)(A)(4))**

Purple certifies that there are no changes to the technology and equipment information and documentation provided in Section V.A and Exhibit 9 of the Purple Recertification Application.

- (5) Operating five or fewer call centers within the United States, a copy of each proof of purchase, lease or license agreement for all technology and equipment used to support their call center functions for each call center operated by the applicant within the United States; (47 C.F.R. § 64.606(a)(2)(ii)(A)(5))**

Purple operates more than five call centers within the United States.

- (6) Operating more than five call centers within the United States, a copy of each proof of purchase, lease or license agreement for technology and equipment used to support their call center functions for a representative sampling . . . of five call centers operated by the applicant within the United States; a copy of each proof of purchase, lease or license agreement for technology and equipment used to support their call center functions for all call centers operated by the applicant within the United States must be**

retained by the applicant for three years from the date of the application, and submitted to the Commission upon request; (47 C.F.R. § 64.606(a)(2)(ii)(A)(6))

Purple certifies that there are no changes to the proof of purchase, lease, or license information and documentation provided in Section V.B and Exhibit 10 of the Purple Recertification Application except as attached as Exhibit 1.

Purple retains copies of proofs of purchase, lease, or license documentation as required and will submit the same to the Commission upon request

(7) Operating call centers outside of the United States, a copy of each proof of purchase, lease or license agreement for all technology and equipment used to support their call center functions for each call center operated by the applicant outside of the United States; (47 C.F.R. § 64.606(a)(2)(ii)(A)(7))

Purple does not operate any VRS call centers outside of the United States, as noted in Section V.C of the Purple Recertification Application.

(8) A complete copy of each lease or license agreement for automatic call distribution; (47 C.F.R. § 64.606(a)(2)(ii)(A)(8))

Purple has developed its own custom built automatic call distribution (“ACD”) system, and therefore does not have an ACD lease or license agreement to submit, as noted in Section V.D of the Purple Recertification Application.

(B) For all applicants, a list of individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the securities of the applicant, or exercise de jure or de facto control over the applicant, a description of the applicant's organizational structure, and the names of its executives, officers, members of its board of directors, general partners (in the case of a partnership), and managing members (in the case of a limited liability company); (47 C.F.R. § 64.606(a)(2)(ii)(B))

This information is provided in Exhibit A.

(C) For all applicants, a list of the number of applicant's full-time and part-time employees involved in TRS operations, including and divided by the following positions: executives and officers; video phone installers (in the case of VRS), communications assistants, and

**persons involved in marketing and sponsorship activities;
(47 C.F.R. § 64.606(a)(2)(ii)(C))**

This information is provided in Exhibit B.

- (D) For all applicants, copies of employment agreements for all of the provider's employees directly involved in TRS operations, executives, and communications assistants, and a list of names of employees directly involved in TRS operations, need not be submitted with the application, but must be retained by the applicant for five years from the date of application, and submitted to the Commission upon request; (47 C.F.R. § 64.606(a)(2)(ii)(D))**

Purple retains copies of employment agreements as required and will submit the same to the Commission upon request.

- (E) For all applicants, a list of all sponsorship arrangements relating to Internet-based TRS, including on that list a description of any associated written agreements; copies of all such arrangements and agreements must be retained by the applicant for three years from the date of the application, and submitted to the Commission upon request; (47 C.F.R. § 64.606(a)(2)(ii)(E))**

This information is provided in Exhibit C.

- (F) In the case of applicants to provide IP CTS or IP CTS providers, a description of measures taken by such applicants or providers to ensure that they do not and will not request or collect payment from the TRS Fund for service to consumers who do not satisfy the registration and certification requirements in §64.604(c)(9), and an explanation of how these measures provide such assurance; (47 C.F.R. § 64.606(a)(2)(ii)(F))**

Purple certifies that there are no changes to the registration and certification information provided in Section X of the ClearCaptions Certification Application.

- (iii) A description of the provider's complaint procedures;
(47 C.F.R. § 64.606(a)(2)(iii))**

[REDACTED]

(iv) A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules. (§ 64.606(a)(2)(iv))

Purple states that it will file annual compliance reports demonstrating continued compliance with the Commission's rules governing Telecommunications Relay Service and containing the information required by Section 64.606(g) of the Commission's rules.

II. Section 64.604(c)(13) Compliance Plan (47 C.F.R. § 64.606(g)(3))

Purple attaches here as Exhibit 2 Purple's Compliance Plan for complying with the requirements of Section 64.604(c)(13) of the Commission's rules.

III. CPNI Certification and Statement (47 C.F.R. § 64.5109(e))

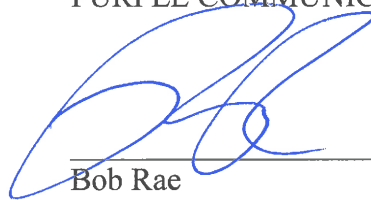
Purple attaches here as Exhibit 3 Purple's Annual CPNI Certification and Statement.

[Remainder of page intentionally left blank; document continues on the next page]

IV. Certification (47 C.F.R. §§ 64.606(g)(2), see also 47 C.F.R. 64.606(a)(2)(v))

I swear under penalty of perjury that I am Bob Rae, President and CEO, an officer of the above-named reporting entity, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete.

PURPLE COMMUNICATIONS, INC.



Bob Rae

CEO & President

595 Menlo Drive, Rocklin, CA 95765

December 16, 2016

Exhibits

Exhibit A

Corporate Stakeholders, Structure, and Officers and Organizational Structure

ClearCaptions, LLC is a limited liability company. ClearCaptions, LLC is currently a wholly-owned subsidiary of Purple. Purple and its shareholders are contemplating a potential reorganization through which ClearCaptions LLC will cease to be owned by Purple, [REDACTED].

The executives and officers of ClearCaptions, LLC are as follows:

- Bob Rae, CEO
- John Kelleher, CFO
- Gordon L. Ellis, Vice President of Sales
- Rita Beier Braman, Vice President of Text Operations and National Quality Assurance
- Blaine Reeve, CTO
- Michael Strecker, Vice President of Regulatory & Strategic Policy
- Monique Dirstine, HR Director
- John Goodman, CLO

[REDACTED]

Purple Communications, Inc. has one wholly owned subsidiary, ClearCaptions LLC, which provides IP CTS. ClearCaptions applied for a separate certification to provide IP CTS, filed with the Commission on April 18, 2016

The executives and officers of Purple are as follows:

- Bob Rae, CEO and President
- John Kelleher, Chief Financial Officer & Chief Operating Officer
- John Goodman, Corporate Secretary & Chief Legal Officer
- Dennis Episkopos, Chief Technology Officer & Chief Information Officer
- Mark Bella, Vice President of Video Relay Sales
- Francine Cummings, Vice President of Video Operations
- Michael Strecker, Vice President of Regulatory & Strategic Policy
- Monique Dirstine, HR Director

[REDACTED]

Exhibit B

Employee Lists

[REDACTED]

Exhibit C

Sponsorship Lists

[REDACTED]

Exhibit 1

Proofs of Purchase

[REDACTED]

Exhibit 2

Compliance Plan

[REDACTED]

Exhibit 3

CPNI Certification and Statement

2016 Annual TRS CPNI Certification: 47 C.F.R. § 64.5109

I, Bob Rae, certify that I am an officer of Purple Communications, Inc. (the “Company”), and I have personal knowledge that since December 21, 2015 the Company has established operating procedures that are adequate to ensure compliance with the Commission’s TRS CPNI Rules (see 47 C.F.R. §64.5101 *et seq.*).

Attached to this certification is an accompanying statement that explains how the Company’s operating procedures ensure that it is in compliance with the Commission’s TRS CPNI Rules. The statement includes an explanation from December 21, 2015 and following of any actions taken against data brokers, a summary of all customer complaints received concerning the unauthorized release of CPNI, and a report detailing all instances where the TRS provider, or its agents, contractors, or subcontractors, used, disclosed, or permitted access to CPNI without complying with the procedures specified in Commission’s TRS CPNI Rules.



Bob Rae
CEO & President
Purple Communications, Inc.

Date: December 16, 2016

2016 Annual TRS CPNI Compliance Statement: 47 C.F.R. § 64.5109

[REDACTED]